

**PLANNING COMMISSION  
CITY OF ST. GEORGE  
WASHINGTON COUNTY, UTAH  
January 27, 2015 – 5:00 PM**

**MINUTES APPROVED**  
By: Julie Hullinger  
Seconded: Diane Adams  
Date: 3/24/15

**PRESENT:** Chair Ross Taylor  
Commissioner Ro Wilkinson  
Commissioner Nathan Fisher  
Commissioner Don Buehner  
Commissioner Diane Adams  
Commissioner Todd Staheli

**CITY STAFF:** Assistant Public Works Director Wes Jenkins  
Planning & Zoning Manager John Willis  
Planner II Ray Snyder  
City Surveyor Todd Jacobsen  
Assistant City Attorney Victoria Hales  
Planning Associate Genna Singh

**EXCUSED:** Commissioner Julie Hullinger  
Council Member Joe Bowcutt

**FLAG SALUTE**

Chair Ross Taylor called the meeting to order and asked Commissioner Diane Adams to lead the flag salute at 5:02.

1. **FINAL PLATS (FP)**

- A. Consider approval of a six (6) lot residential subdivision for **“Fieldstone Phase 2.”** The representative is Mr. Brad Peterson, Development Solutions. The property is zoned R-1-10 (Single Family Residential Estate 10,000 square foot minimum lot size) and is located on the south side of Crimson Ridge Drive at approximately 2240 East (in the Little Valley area). Case No. 2014-FP-079. (Staff – Todd Jacobsen).

Todd Jacobsen said that Crimson is on the north side of the development. This is in Little Valley near the new church.

*\*\*Assistant City Attorney Victoria Hales entered at 5:03 pm\*\**

Todd Jacobsen continued stating there is split zoning on the western most lot, lot 31.

- B. Consider approval of a twelve (12) unit multi-family residential subdivision for **“Red Storm Town Homes.”** The representative is Mr. Brandon Anderson, Rosenberg Associates. The property is zoned R3 (Multiple Family Residential) and is located at 487 South 100 East Street. Case No. 2014-FP-072. (Staff – Todd Jacobsen).

Todd Jacobsen presented item 1B with no comments.

Commissioner Diane Adams asked if split zoning for Fieldstone is an issue.

Assistant City Attorney Victoria Hales noted that legal will not to press the minor issue.

Todd Jacobsen said that the Preliminary Plat was approved that way and they did utilize lot size averaging.

Chair Ross Taylor asked if the subdivision meets the R-1-12.

Todd Jacobsen replied yes, among the phases the lot size averaging works.

**MOTION: Commissioner Diane Adams made a motion to approve Fieldstone Phase 2 and Red Storm Town Homes and authorize chairman to sign.**

**SECONDED: Commissioner Nathan Fisher seconded the motion.**

**AYES (6)**

**Chair Ross Taylor**

**Commissioner Ro Wilkinson**

**Commissioner Nathan Fisher**

**Commissioner Don Buehner**

**Commissioner Diane Adams**

**Commissioner Todd Staheli**

**NAYS(0)**

**Motion passes.**

## **2. PRELIMINARY PLAT**

Consider approval of a preliminary plat for a sixteen (16) lot residential subdivision for **"The Reserve at River Hollow"** The property is zoned RE-20 (Residential Estate 20,000 sq. ft. minimum lot size). The property is generally located at 1200 South 2670 East. The property owner is M&S Land, LLC; Sue Cox Trust, the applicant is MK Cox Development, and the representative is Mr. Skyler Lawrence. Case No. 2015-PP-001. (Staff – Wes Jenkins).

Wes Jenkins presented the following:

There will be an HOA that they will annex into (existing River Hollow). The HOA will maintain the landscape strip and there is an internal park. There are already trees planted along the southern road. They want to keep those trees to give an estate look. They will use the 45' cross section and narrow it down as they go through which will put the trees 4-4.5 feet inside the sidewalk. They want the tree area to be common area to the HOA. They may change that to meet setbacks and such but that is how it is currently proposed. The n/s road will have 8' planter strips with trees to continue the estate look. The n/s cul-de-sac will incorporate what is already there. What is being presented is different than what was originally in the packet so refer to the revised drawing. Originally there was a master plan road that came through here and was to be a 66' road. We felt that was impossible so we looked at reducing it. With the commercial piece there now we think we need to keep it so the 66' road should now continue. They will use the alternate cross section. There are double fronting lots so there will be the 10' landscape strip and the privacy wall. The landscape will be owned and maintained by the HOA. We did discuss with the applicant tying in to the west but they didn't want that because they wanted to keep the lot sizes of the neighborhood. That would also have created triple fronting lots

and it wouldn't have been compatible. There is a driveway that will tie into the cul-de-sac road. They are proposing two flag lots that will share the staff. There will need to be an agreement for that staff to share the cost and maintenance.

Chair Ross Taylor asked where the next through street is located.

Wes Jenkins explained that Royal Pines has through streets.

Chair Ross Taylor noted that better circulation may be possible. The general plan asks that cul-de-sacs be discouraged unless there are elevation problems. I wonder if this is for convenience.

Wes Jenkins stated that extending the road through will create triple fronting lots. Would it provide better circulation? Yes it would, however, applicant wanted exclusive large lots. We pointed out it would be inconvenient to get in and out of those lots.

Commissioner Nathan Fisher asked if the cul-de-sac was due to the proximity to 1190 South.

Wes Jenkins said that was correct.

Commissioner Nathan Fisher asked if the cul-de-sac could be straight.

Wes Jenkins noted they're trying to maintain the house that is already there.

Commissioner Nathan Fisher asked if there are any issues annexing into River Hollow.

Wes Jenkins noted that the HOA has to accept the annexation.

Commissioner Nathan Fisher asked if the CCRs need to be revised.

Skylar Lawrence explained that we met with the HOA this morning. They are excited because it will reduce their dues. They are willing to support us and there is language that grants us the ability to annex in. The property in front of the Cox homes does have trees so the trees will be on both sides of the road.

Assistant City Attorney Victoria Hales asked if there are sidewalks that aren't adjacent to the roadway and planter strips that cause headaches.

Wes Jenkins explained there will be a 58' cross section with 29' pavement, 2.5' curb and gutter on both sides, and then 8' planter with sidewalk. They want to keep the sidewalk on the edge of the right of way. The landscape strips would be in the right of way but property owners will be responsible.

Assistant City Attorney Victoria Hales said the HOA would be required to maintain.

Wes Jenkins noted that Sun Valley had landscape in the right of way but each property owner was to maintain.

Assistant City Attorney Victoria Hales asked if the code changed since then.

Wes Jenkins said no, it has not.

Commissioner Todd Staheli inserted that if owners don't take care of the landscaping it ruins the whole thing.

Wes Jenkins said Sun Valley Estates pushed the landscape strips and we looked at revising the ordinance and then they drove down Diagonal and backed off. Skylar will argue they are large lots and people will maintain them but we can put them in the HOA.

Chair Ross Taylor noted that is a function of the HOA.

Wes Jenkins added that HOAs tend to dissolve over time. There is a park and existing landscape strips so we feel there are enough amenities there to be responsible and take ownership of it. There are also two entry features proposed that will be maintained by the HOA.

Commissioner Nathan Fisher asked if there are code issues.

Assistant City Attorney Victoria Hales said the landscape in private ownership is a concern.

Wes Jenkins explained that double fronting lots do state that they must be HOA or City maintained. With lot frontages we have allowed private ownership.

Assistant City Attorney Victoria Hales agreed with staff.

Commissioner Nathan Fisher noted that if we're concerned we can condition that it's the home owner's responsibility but the HOA has the liberty to charge or fix the area.

Assistant City Attorney Victoria Hales added that the sidewalk standards need to be reviewed in regards to meandering.

Wes Jenkins explained there is an alternate cross section that doesn't show meandering but does have the curb, gutter, landscape, and sidewalk.

Assistant City Attorney Victoria Hales inserted that a lot of changes have been made in the past week so maybe this isn't ready to go yet.

Wes Jenkins agreed that we could have delayed it to go through the changes.

Commissioner Diane Adams noted that the sidewalks did not change.

Wes Jenkins agreed they are the same for the most part. They wanted to be outside the trees and I asked them to do the 45' and then the trees.

Commissioner Todd Staheli asked where the meandering sidewalk is.

Wes Jenkins responded that the meandering is for 1170 South, 1240 South and east of the subdivision.

Commissioner Diane Adams stated it's more of a trail like approach.

Chair Ross Taylor noted that it's a nice design and there's some merit to that but we need to abide by the ordinance.

Assistant City Attorney Victoria Hales said it is unclear if there's a problem because the revision was just submitted. You could go forward and condition approval on legal review.

Wes Jenkins noted this is the first time I've seen meandering.

Assistant City Attorney Victoria Hales there are code sections that have setbacks from sidewalk so I'm not sure how that would affect this. The design is attractive I just need to make sure it is legal.

Commissioner Ro Wilkinson asked how wide the street is.

Wes Jenkins said pavement is either 29' or 32'. They are smaller residential streets and would be public streets dedicated to the City.

Chair Ross Taylor stated that lots that size will have large toys and backing a trailer onto a small road like that is difficult. We may need to look into this further.

Wes Jenkins explained they are standard streets.

Chair Ross Taylor asked if there are narrow streets like this in the Little Valley area.

Wes Jenkins said Meadow Valley Farms has narrow streets. It is a valid question concern. This is just the cross section they chose.

Commissioner Don Buehner asked if the trees are vital to approval of the preliminary plat. Much of the discussion tonight is not documented in the packet.

Wes Jenkins said if they don't want to put in the trees they don't have to.

Assistant City Attorney Victoria Hales asked staff to address the flag lot. If approved there needs to be a finding that standard lots are not feasible. It looks like there is a 25' staff which is allowed to go to two lots, however I am not certain if half of the staff is owned by one lot and half by the other or if the whole staff belongs to one lot and the second lot has an access easement. It appears to be drawn half and half. If that is how they want to do this there needs to be shared maintenance agreements. One lot can own the whole thing and then an easement to the other lot. This will need to be worked out legally if flag lots are needed.

Skyler Lawrence said each side would own half.

Chair Ross Taylor said it will need to be clarified what each lot will own and then an agreement to share access.

Assistant City Attorney Victoria Hales said that's just an issue moving forward as well as the annexation to the HOA.

Commissioner Nathan Fisher asked the applicant his feelings about the owner being responsible for the landscape but the HOA has the right to maintain and fix.

Skyler Lawrence said that's a great way to address the issue.

Commissioner Diane Adams asked if the HOA is old and if it is well funded.

Skyler Lawrence said maybe 9 years old. There is a park at River Hollow and that park will not be left to go to weeds. It is a well functioning HOA.

**MOTION: Commissioner Nathan Fisher made a motion to approve item 2 subject to legal approval. Based on the presentation, staff and applicant comments we find a cul-de-sac is more feasible for the area as the street cannot go through to 2780. As a result the installation of flag lots is necessary because standard lots are not feasible. The motion is conditioned on the HOA CCRs stating that the lots that are required to maintain the landscape strip the HOA reserves the right to maintain them in the event the lot owner does not maintain them and charge back the owner. Also, that the ownership and maintenance of the flag lot is subject to legal.**

**SECONDED: Commissioner Diane Adams seconded the motion.**

*Commissioner Todd Staheli asked what happens if the HOA dissolves. Is the owner responsible then? And if the owner doesn't do it then what happens?*

*Commissioner Nathan Fisher said the common area and CCRs can still be enforced by individual lot owners. If they don't do it then the City will have to step in.*

*Assistant City Attorney Victoria Hales noted the sidewalk design is also subject to legal review.*

*Wes Jenkins added that when we look at an HOA we make sure there are more amenities that people are buying into so success is more likely.*

**AYES (6)**

**Chair Ross Taylor**

**Commissioner Ro Wilkinson**

**Commissioner Nathan Fisher**

**Commissioner Don Buehner**

**Commissioner Diane Adams**

**Commissioner Todd Staheli**

**NAYS(0)**

**Motion passes.**

3.     **TRAINING**

Training and discussion to cover: Title 10 Chapter 8 “Planned Development Zone” – Residential Section.

Ray Snyder presented the training for PD Residential Zones.

Discussion and training went back and forth between Commissioners and Staff.

**ADJOURN**

<p><b>MOTION: Commissioner Todd Staheli made a motion to adjourn.</b> <b>SECONDED: Commissioner Ro Wilkinson seconded the motion.</b> <b>Meeting adjourned at 6:08 pm.</b></p>
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